



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,651	03/29/2001	Takao Yoshimine	275747US6	5730
22850	7590	04/16/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.			EXAMINER	
1940 DUKE STREET			CHANKONG, DOHM	
ALEXANDRIA, VA 22314			ART UNIT	PAPER NUMBER
			2152	
			NOTIFICATION DATE	DELIVERY MODE
			04/16/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

<b>Office Action Summary</b>	<b>Application No.</b> 09/821,651	<b>Applicant(s)</b> YOSHIMINE ET AL.
	<b>Examiner</b> DOHM CHANKONG	<b>Art Unit</b> 2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(o).

#### Status

1) Responsive to communication(s) filed on 26 December 2007.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,4-6,9-11,14-16 and 19-21 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1, 4-6, 9-11, 14-16, and 19-21 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

#### DETAILED ACTION

1> This action is in response to Applicant's request for continued examination. Claims 1, 6, 11, and 16 are amended. Claims 1, 4-6, 9-11, 14-16, and 19-21 are presented for further examination.

2> This is a non-final rejection.

*Continued Examination Under 37 CFR 1.114*

3> A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12.26.2007 has been entered.

*Response to Arguments*

4> Applicant's arguments with respect to claims 1, 4-6, 9-11, 14-16, and 19-21 have been considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendment.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5>      Claims 1, 5, 6, 10, 11, 15, 16, 20, and 21 are rejected under 35 U.S.C §103(a) as being unpatentable over Prust, U.S Patent No. 6,714,968 in view of Burson et al, U.S Patent No. 6,405,245 [“Burson”], in further view of Downs et al, U.S. Patent No. 6,574,609 [“Downs”], in further view of Applicant’s Admitted Prior Art [“AAPA”].

6>      As to claim 1, Prust discloses an information processing device, comprising:  
transmitting means for transmitting user registration data necessary to secure a user's exclusive storage area in a server connected in a network, to said server over a network [abstract | Figure 8 «items 805, 807» | column 7 «line 59» to column 8 «line 7»];  
receiving means for receiving address data designated as an access point indicating said exclusive storage area oriented to said user registration data from said server over said network [column 5 «lines 29-38» | column 6 «lines 23-36 and 59-62» where: Prust discloses using a web browser to access the storage area. Therefore it is implicit that an address is transmitted from which the user can access the area]; and  
wherein each of said automatic upload programs is programmed to connect to a unique part of said exclusive storage area [Figure 5 | column 6 «lines 28-35» where : Prust'; connection means for performing connection processing automatically to said access point in the said server based on said address data received by said receiving means [column

6 «lines 23-36» where: Prust discloses automatically connecting to the remote directory using a script];

transfer means for writing a data file to the exclusive storage area automatically when connection processing is performed [Figure 5 where : the script automatically writes information the specified storage area when connected to the storage area].

Prust discloses utilizing scripts (upload programs) to connect to remote storage but does not disclose: (1) that the address data is defined, in part, by the user registration data; (2) receiving the one or more automatic upload programs; (3) performing connection processing automatically via actuation of a corresponding upload icon; or (4) wherein a genre of the content file, a codec used to encode and/or decode the content file, a schedule associated with the distribution of the content file, a commercial setting associated with the content file and a content identification corresponding to the content file are included in an associated control file which may be edited via the interface and transmitted to the server. However, these features were well known in the art at the time of Applicant's invention.

As to feature (1), Applicant submits as prior art that it is well known, when assigning an exclusive storage area in the server to a user, that a universal resource locator (URL) related to the user ID, is issued. Applicant's specification, pg. 2, ¶ 2. Prust implicitly suggests such functionality as well [Figures 6 & 7]. Prust discloses that the user is assigned storage area with addresses having the same name as the user ID [the name "Prust" defines the storage directory in Figure 6, and defines the email address in Figure 7].

Thus, it would have been obvious to one of ordinary skill in the art that the combination of Prust and the AAPA disclose that the address data is defined, in part, by the

user registration data (such as a user ID). One would have been motivated to provide the user with the ability to easily access and transfer data to his storage information [see Prust column 7 «lines 7-34»].

As to features (2) and (3), Burson discloses a system for accessing personal data. One of the methods that Burson achieves this functionality is by having the client download an application to the client; the application is then responsible for automated data communications between the client and the server [Figure 2 | column 3 «lines 15-29» | column 15 «lines 1-45» where : the receiving means is implied and inherent in Burson's client computer and software. The computer is connected to the Internet and downloads the necessary automatic upload program; therefore, the client must be equipped with a receiving means that downloads the program].

Performing connection processing automatically via actuation of a corresponding upload icon is a well known feature in the art. Burson also discloses this feature [abstract | column 14 «lines 45-48»]. Burson discloses that the link or other interactive mechanism is advantageous because it provides a user a quicker mechanism for accessing his access point [column 14 «lines 49-54»].

Thus, it would have been obvious to one of ordinary skill in the art to incorporate Burson's downloading functionality into Prust's system, modifying Prust's scripts so they are downloaded from the server as taught by Burson. One would have been particularly motivated to perform such an implementation to enable Prust's scripts to be platform independent (JAVA applet, as is well known in the art) and would further enhance Prust's stated objective of providing a variety of remote access possibilities to the storage site. It is

further advantageous to provide automated actions for logging on and accessing access points within a remote storage server as is taught in Burson.

And finally, as to feature (4), Downs is directed towards a secure electronic content management and distribution system [abstract]. Downs teaches a control file associated with content in the form of metadata that describes various aspects of the content [column 9 «lines 45-50»]; some examples of metadata include a genre of the content file [column 56 «lines 15-17 and 27-28»], a codec used to encode and/or decode the content file [column 49 «lines 16-17 and 48-51» : specifying either a PCM or WAV codec is necessary to decode the file], a schedule associated with the distribution of the content file [column 57 «lines 63-67» | column 58 «lines 29-30» where : the usage conditions are similar to the metadata in that they are attached to the content. The usage conditions specify a distribution schedule in the form of availability dates], a commercial setting associated with the content file [column 57 «lines 45-67» where : the usage conditions specify commercial availability of the file] and a content identification corresponding to the content file [column 58 «line 46» : product ID]. Downs also teaches that such metadata and usage conditions are attached to the content file and are edited via a GUI [column 57 «lines 17-43»].

It would have been obvious to one of ordinary skill in the art to incorporate Downs' content metadata and usage condition features into Prust's remote user storage system for the advantages of providing important information to a client and allowing a user to control when and how end-users can access and use their files [see Downs, column 3 «lines 49-67» | column 56 «lines 23-36»]. Such a modification enhances Prust's system by providing more control over how content is used and accessed.

7> As to claim 5, Prust discloses an information processing device of claim 1 wherein said address data is a uniform resource locator (URL) for designating resources on said network [column 5 «lines 29-38» | column 6 «lines 23-36 and 59-62» | column 7 «lines 26-30»].

8> As to claims 6, 11 and 16, as they are merely methods or mediums that perform the same steps of the device of claim 1, they are rejected for the same reasons set forth for claim 1, supra.

9> As to claims 10, 15 and 20, as they are merely methods or mediums that perform the same steps of the device of claim 5, they are rejected for the same reasons set forth for claim 5, supra.

10> As to claim 21, Prust does not expressly disclose the data file is a movie file and the control file comprises at least one of a time and date for scheduling access to the media file. However, such a feature was well known in the art at the time of Applicant's invention. Downs discloses the data file is a movie file [column 7 «lines 1-3»] and the control file comprises at least one of a time and date for scheduling access to the media file [column 57 «lines 63-67» | column 58 «lines 29-30»]. It would have been obvious to one of ordinary skill in the art to incorporate Downs' control file functionality into Prust's personal storage system to enable a client to specify when certain files can be accessed because such an adaptation provides a user more control over the distribution of his files.

11>      Claims 4, 9, 14, and 19 are rejected under 35 U.S.C 103(a) as being anticipated by Prust, Burson, Downs and AAPA, in further view of Hayes, Jr. et al ("Hayes"), U.S Patent No. 6,339,826.

12>      As to claim 4, Prust and Burson disclose the information processing device wherein said connection means is to perform connection processing to said access point in said server in response to a click operation on an exclusive icon which is displayed on a given display unit [see Prust, column 5 «lines 29-38 and 45-59»] but do not explicitly disclose that the icon drives an automatic upload program. However, such a feature was well known in the art at the time of Applicant's invention. Hayes teaches an icon that drives an automatic connection setting program [Figure 7, items 710 712, 714, and 716 | column 14 «lines 7-26 and 50-65】. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Hayes' icon functionality into Prust and Burson increase the security of the device by associating specific icons (and their related applications) to users, which would consequently allow users to access only those applications on the server which they are authorized. Additionally, the use of icons with applet programs such as those seen in Burson and Hayes is well known in the art.

13>      Claim 9 is a method that claims the steps carried out by the information processing device of claim 4. Therefore, claim 9 is rejected for the same reasons as set forth for claim 4, supra.

14> Claim 14 is a storage medium that claims the steps performed by the information processing device of claim 4. Therefore, claim 14 is rejected for the same reasons as set forth for claim 4, supra.

15> Claim 19 is a network system consisting of a server and information processing device connected to said server that performs the steps of the information processing device of claim 4. Therefore, claim 19 is rejected for the same reasons as set forth for claim 4, supra.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOHM CHANKONG whose telephone number is (571)272-3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2152

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dohm Chankong/  
Examiner, Art Unit 2152